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January 4, 2021

**VIA ECF**

Honorable James L. Cott  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

RE: Kaye v. NYC Health & Hospitals Corp. et. al.  
Index No.: 18-cv-12137(JPC)(JLC)

Dear Honorable Judge Cott:

I write respectfully to inform the Court that I cannot proceed with depositions as scheduled this week. I attempted to raise issues consistent with the Federal Rules and the Sedona Conference on the discovery issues in this matter to no avail. However, I simply cannot proceed, I have experienced a host of health issues over the past two weeks, and today I have been holding off on treatment until the Court ruled on the current disputes.

As it stands, I cannot speak more than a few words without gasping for air. I have been winded and have experienced a number of other flu like symptoms. I have refrained from taking medications and using respiratory aids today in order to respond to Defense Counsel's letters and the Court's order. Upon completion of this letter I will be medicated; as it stands I am self-quarantining in my home.

In closing, I apologize for any inconvenience this may have caused Counsel and the Court. I will be notifying the parties in my other cases within the next 12 hours after I have had the opportunity to commence with medication and respiratory aids. Again, I will not be able to depose anyone this week or to participate in Dr. Kaye's deposition. Since I am a solo practitioner, there is also no one to defend her deposition in my absence.

Respectfully submitted,

/s/

Special Hagan, Esq.  
Attorney for Plaintiff  
Melissa Kaye

c: Donna Canfield, Esq.  
Counsel for Defendants